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REPORT
No. 2381

HSIEH TA-CHUAN OR DER OTT-KUAN

JULY 1, 1952.—Committed to the Committee of the Whole House and ordered to be printed

Mr. WALTER, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 2313]

The Committee on the Judiciary, to whom was referred the bill (S. 2313) for the relief of Hsieh Ta-Chuan or Der Ott-Kuan, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant to the minor Chinese child of a United States citizen the status of a nonquota immigrant, which is the status normally enjoyed by the alien minor children of citizens of the United States.

GENERAL INFORMATION

The beneficiary of the bill was born in China on November 24, 1934, and is presently in Hong Kong. The boy's father is a naturalized citizen of the United States who resides in Baltimore, Md., with his wife and two other minor children who are United States citizens. The mother of the beneficiary of the bill died in China in 1936.

A letter, with attached memorandum, dated April 16, 1952, to the chairman of the Senate Committee on the Judiciary from the Deputy Attorney General with reference to the case, reads as follows:

APRIL 16, 1952.

HON. PAT MCCARRAN,
*Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.*

MY DEAR SENATOR: This is in response to your request for the views of the Department of Justice relative to the bill (S. 2313) for the relief of Hsieh Ta-Chuan or Der Ott-Kuan, an alien. The bill would enable the alien to acquire nonquota status in the issuance of an immigration visa.

There is attached a memorandum prepared by the Immigration and Naturalization Service of this Department setting forth the facts in this case.

Whether, under the circumstances in this case, the beneficiary of the bill should be granted eligibility for nonquota status in the issuance of an immigration visa presents a question of legislative policy concerning which the Department of Justice prefers not to make any recommendation.

Sincerely,

A. DEVITT VANECH,
Deputy Attorney General.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION
SERVICE FILES RE HSIEH TA-CHUAN OR DER OTT-KUAN, BENEFICIARY OF
S. 2313

The alien child, a native and citizen of China, was born on November 24, 1934, and is presently residing in Hong Kong. His father, William Sheuk Hong Der (William Shao-T'ang Hsieh), a resident of Baltimore, Md., and a naturalized citizen of the United States, stated that he was born in China on August 28, 1907. His late parents, who were natives and citizens of China, never resided in the United States. He came to this country in 1923 with his adoptive father, Der Won, who was a native-born United States citizen. The alien's father, who returned to China in April of 1929, was married to a native and citizen of that country on August 14, 1929. He stated that his wife died in China on August 14, 1936. He returned to the United States in March or April of 1930, and again departed for China in December of 1933. He last entered the United States in December of 1934. He has been sending to China about \$300 a year for the support and maintenance of his son. The alien child's father, who married a native-born citizen of the United States on October 4, 1942, is the owner of a laundry in Baltimore, Md., which nets him a yearly income ranging between \$2,000 and \$3,000. His wife is employed in Washington, D. C., at a salary of \$56 per week. They have two minor children who reside with them in Baltimore.

Alien Chinese children of United States citizens are precluded from obtaining nonquota status by the provisions of the act of December 17, 1943, as amended. Since the alien child is chargeable to the Chinese racial quota, which is oversubscribed, an immigration visa is not readily available to him.

Senator Herbert R. O'Connor, the author of the bill, has submitted additional information in connection with the bill, which information is contained in the files of the Committee on the Judiciary.

The committee, after consideration of all the facts in the case is of the opinion that the bill (S. 2313) should be enacted.